

Message Text

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12

ACTION ACDA-10

INFO OCT-01 EUR-12 ISO-00 ERDA-05 AF-06 ARA-06 CIAE-00

DODE-00 EA-06 PM-03 H-01 INR-07 IO-10 L-02 NASA-01

NEA-09 NSAE-00 NSC-05 OIC-02 SP-02 PA-01 PRS-01

OES-03 SS-15 USIA-06 SAJ-01 /115 W

----- 010457

R 221044Z FEB 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 8186

INFO USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 03012

E.O. 11652: GDS

TAGS: PGOV, PFOR, GW, US, UK, FR

SUBJECT: FRG REQUEST FOR USG RECONSIDERATION OF POSITION
ON NON-EXTENSION OF BACTERIOLOGICAL WEAPONS
CONVENTION TO BERLIN

REF: BONN 14834, 1974

1. IN A MEETING WITH FONOFF POLITICAL DIRECTOR VAN WELL
ON FEBRUARY 19, AMBASSADOR HILLENBRAND WAS INFORMED THAT
THE FRG WAS REQUESTING THE USG TO RECONSIDER ITS POSITION
ON THE NON-EXTENSION OF THE BACTERIOLOGICAL WEAPONS
CONVENTION (BWC) TO BERLIN. VAN WELL GAVE AN AIDE
MEMOIRE TO THE AMBASSADOR WHICH READS AS FOLLOWS:
BEGIN TEXT. THE FOREIGN OFFICE HAS THOROUGHLY EXAMINED
THE AIDE-MEMOIRE OF THE UNITED STATES EMBASSY DATED
SEPTEMBER 17, 1974 AND FOR THIS PURPOSE ALSO OBTAINED
THE VIEWS OF THE BERLIN SENAT ON THE QUESTION WHAT
EFFECTS THE NON-INCLUSION OF BERLIN (WEST) IN THE
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AREA OF APPLICABILITY OF THE B-WEAPONS CONVENTION

WOULD HAVE. IN THIS CONNECTION NEW ASPECTS NOT
HITHERTO CONSIDERED HAVE TURNED UP. THE FEDERAL
GOVERNMENT THEREFORE REQUESTS THE GOVERNMENT OF THE
US ONCE MORE TO REVIEW THE QUESTION OF ITS AGREEMENT
TO THE INCLUSION OF BERLIN (WEST).

THE FOREIGN OFFICE WISHES TO POINT OUT THAT IT
DOES NOT CONSIDER AS DECISIVE THE DIFFERENT EMPHASIS
PLACED IN THE NPT AND THE B-WEAPONS CONVENTION
RESPECTIVELY ON THE PEACEFUL USES OF ATOMIC ENERGY
AND OF BACTERIOLOGICAL AGENTS. IT IS TRUE THAT IN
THE B-WEAPONS CONVENTION ONLY ARTICLE X IS CONCERNED
WITH PEACEFUL USE. HOWEVER, THIS ARTICLE GRANTS
RIGHTS TO THE CONTRACTING PARTIES WHICH THEY WOULD NOT
HAVE WITHOUT ADHERENCE TO THE CONVENTION, I. E., THE
RIGHT OF PARTICIPATION IN THE EXCHANGE OF EQUIPMENT,
MATERIAL AND INFORMATION AND IN INTERNATIONAL
COOPERATION. THE TEXT OF ARTICLE X EQUALS, INsofar
AS IS POSSIBLE WITH A DIFFERENT SUBJECT, ARTICLES
IV(2) AND III(3) OF THE NPT.

THE BERLIN SENAT HAS INDICATED AFTER THOROUGH
EXAMINATION THAT BERLIN (WEST) HAS A SUBSTANTIAL
INTEREST IN THE RIGHTS UNDER ARTICLE X. A NUMBER OF
IMPORTANT SCIENTIFIC INSTITUTES ARE LOCATED IN BERLIN
(WEST) WHICH CARRY ON RESEARCH IN THE FIELD OF
BACTERIOLOGY. SUBSTANTIAL DIFFICULTIES COULD ARISE
FOR THESE INSTITUTES WITH RESPECT TO THEIR PARTICIPATION
IN SCIENTIFIC EXCHANGES AND IN INTERNATIONAL COOPERATION
SHOULD BERLIN (WEST) NOT BE INCLUDED IN THE AREA OF
APPLICABILITY OF THE B-WEAPONS CONVENTION. THIS MUST
BE AVOIDED IN THE INTEREST OF THE UNIMPEDED FUTURE
DEVELOPMENT OF SCIENCE AND THE ECONOMY IN BERLIN (WEST).
END TEXT.

2. IN COMMENTING ON THE AIDE-MEMOIRE, VAN WELL SAID
THE QUESTION OF THE FRG ATTITUDE TOWARD THE CONVENTION
WILL ARISE IN THE NEAR FUTURE WHEN THE US, UK AND
USSR DEPOSIT THEIR INSTRUMENTS OF RATIFICATION. VAN
WELL SAID HIS GOVERNMENT HAS NOT YET DECIDED WHAT TO
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DO IF THE CONVENTION IS NOT EXTENDED TO BERLIN. HE
REITERATED HIS BELIEF THAT IT SHOULD BE EXTENDED IN
VIEW OF THE PROVISIONS OF ARTICLE 10 AND THE
DISADVANTAGES WHICH WEST BERLIN WOULD SUFFER WERE
THE CITY NOT INCLUDED. VAN WELL SAID THAT HE WOULD
PREFER THAT THE USG RECONSIDER ITS PREVIOUS DECISION.
IF THE US DOES NOT CHANGE ITS

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 03012

POSITION, THEN THE FRG MIGHT HAVE TO DROP THE BERLIN
CLAUSE.

3. COMMENT: ARGUMENT RE DISADVANTAGES TO WSB SCIENTIFIC
AND RESEARCH INSTITUTIONS IS NOT CONVINCING AND WE
CONTINUE TO BELIEVE THAT FRG AND SENAT PRIMARILY
INTERESTED IN AVOIDING "PRECEDENT" OF NON-EXTENSION.
EMBASSY IS STILL OF VIEW THAT BWC NOT REPEAT NOT SUITABLE
FOR EXTENSION (SEE ALSO STATE 184080, BERLIN 1427, AND
BONN 12191, ALL 1974). WE SEE ROUGHLY THREE BASIC
POSSIBILITIES FOR NEXT COURSE OF ACTION: A) REPLY TO
FRG THAT WE HAVE NOT CHANGED OUR MIND AND ISSUE BK/L
DENYING SENAT REQUEST FOR EXTENSION; B) GIVE NEGATIVE
REPLY TO FRG AND GIVE THEM CHOICE OF WITHDRAWING REQUEST
OR HAVING AK ISSUE BK/L; AND, THE COURSE OF ACTION WE
FAVOR, C) PUT QUESTION BACK INTO ALLIED-FRG

FORUM (BONN GROUP) WHERE IT WAS ORIGINALLY DISCUSSED.

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ADVANTAGE OF THIS COURSE WOULD BE TO REMIND FRG THAT
DECISION IS ACTUALLY A THREE POWER ONE AND THAT FRANCE
HAS EXPRESSED ABSOLUTE OPPOSITION TO EXTENSION (FRENCH
EMB OFFICE TOLD US FEB 20 THAT SAUVAGNARGUES
OPPOSITION TO EXTENSION AS AMBASSADOR IN BONN COULD
FULLY BE EXPECTED TO BE FOLLOWED BY SAUVAGNARGUES
OPPOSITION AS FOREIGN MINISTER. IT WILL ALSO BE
RECALLED THAT FRG NOTE TO US PASSED IN WASHINGTON LAST
JULY WAS NOT PART OF FRG EFFORT VIS A VIS ALL THREE
ALLIES; UK AND FRENCH WERE NOT APPROACHED BY FRG. SO AS
TO GIVE US AN OPPORTUNITY TO CHECK FRG REACTION TO
RENEWAL OF QUADRIPARTITE DISCUSSION OF THIS MATTER,
EMBASSY PLANS TO INFORM FRG WE BELIEVE IT
NECESSARY TO RAISE THIS IN BONN GROUP BEFORE GOING AHEAD
AND ACTUALLY DOING SO.
HILLENBRAND

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